

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

W.C. HERAEUS GMBH (a German corporation),)	
and HERAEUS INCORPORATED (a Delaware)	
corporation))	
)	
Plaintiffs,)	
)	
v.)	C.A. No. 04-904 (KAJ)
)	
MARJORIE JOY LYNN as Personal Representative))	
for the ESTATE OF DAVID MARK LYNN and as))	
Trustee of the MARK AND MARJORIE LYNN))	
REVOCABLE TRUST, LYNN PLASMA, INC.))	
(an Idaho corporation), NXEDGE, INC.))	
(a Delaware corporation), and NXEDGE INC. OF))	
BOISE (a Delaware corporation)))	
)	
Defendants.)	

**JOINT STIPULATION AND ORDER EXTENDING EXPERT AND RELATED
DISCOVERY DEADLINES**

To permit the parties to conduct additional discovery and to schedule and conduct an early mediation in this case, plaintiffs W.C. Heraeus GmbH and Heraeus Inc. (collectively, “Plaintiffs”) and the defendants, Marjorie Joy Lynn (as personal representative for the Estate of David Mark Lynn and as Trustee of the Mark and Marjorie Lynn Revocable Trust), Lynn Plasma, Inc., NxEdge, Inc. and NxEdge Inc. of Boise (collectively, “Defendants”) stipulate, subject to the approval of the Court, to extend various deadlines set by this Court in its March 8, 2005 Scheduling Order (D.I. 40) as follows:

1. The parties shall file their initial Federal Rule of Civil Procedure 26(a)(2) disclosures of expert testimony on or before Friday, November 4, 2005. (The deadline to file these disclosures is currently set for Tuesday, September 1, 2005.)
2. The parties shall file a supplemental disclosure to contradict or rebut evidence on the same subject matter identified by another party on or before Wednesday, November 23, 2005. (The deadline to file these disclosures is currently set for Saturday, October 1, 2005.)

3. The parties are submitting to the Court concurrently herewith a Joint Stipulation Mooting Issues of Claim Construction which renders moot the need for the Court to construe the claims of the patent at issue in this case. If the Court approves the Joint Stipulation Mooting Issues of Claim Construction, there will be no need for a claim construction hearing, or for the parties to amend the aforementioned disclosures of expert testimony on or before 30 days after the date the Court issues an order of claim construction, as contemplated by paragraphs 11 to 13 of the Court's March 8, 2005 Scheduling Order (D.I. 40).

4. All discovery in this case shall be initiated so that it is completed on or before Wednesday, January 18, 2006. (The discovery cut-off is currently set for Tuesday, November 15, 2005.)

5. These extensions will not affect any other deadlines in this case, including the dates for case dispositive motions.

MORRIS, NICHOLS, ARSHT & TUNNELL

/s/ Leslie A. Polizoti

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SO ORDERED this ___ day of August, 2005.

United States District Judge

CERTIFICATE OF SERVICE

I hereby certify that on August 16, 2005, I electronically filed the foregoing document with the Clerk of Court using CM/ECF, which will send notification of such filing to Kevin M. Baird and Karen Jacobs Loudon.

I also certify that on August 16, 2005, I caused to be served true and correct copies of the foregoing document on the following in the manner indicated below:

BY HAND

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